

SENATE BILL No. 263

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-19-3-6.5; IC 20-30; IC 20-34-3-21.

Synopsis: Physical education. Requires each public school and charter school to conduct at least 30 minutes of physical education each day for students, which may be done as part of a class activity. Lengthens the minimum school day by 30 minutes. Requires each school corporation and charter school to: (1) report certain student health data for students in grades 1, 6, and 12 to the state department of health beginning in the 2015-2016 school year; and (2) inform the students' parents of the collection of the data and the right to obtain the data. Requires the state department of health to: (1) develop materials for the school corporation to distribute concerning body mass index; and (2) publish an annual report summarizing the data collected by the school corporations. Requires the state department of health and the state board of education to adopt joint rules to implement these provisions.

Effective: July 1, 2015.

Kruse

January 7, 2015, read first time and referred to Committee on Education & Career Development.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 263

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-19-3-6.5, IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2015]: **Sec. 6.5. (a) The department shall:**

4 **(1) establish a program in health and physical education to**
5 **encourage children in kindergarten through grade 12 to**
6 **develop:**

7 **(A) healthful living habits;**

8 **(B) an interest in lifetime health and physical fitness; and**

9 **(C) decision making skills in the areas of health and**
10 **physical fitness;**

11 **(2) establish the position of education consultant for health**
12 **and physical education; and**

13 **(3) hire an individual to perform the duties of education**
14 **consultant for health and physical education.**

15 **(b) The education consultant for health and physical education**
16 **shall:**



(1) plan and develop curricula for health and physical education for kindergarten through grade 12;

(2) provide assistance to school corporations in developing and carrying out the requirements of IC 20-30-5-21; and

(3) perform other duties designated by the department.

(c) The program in health and physical education must include the following:

(1) Local school program development.

(2) Technical and inservice training assistance for local schools.

(3) Local school initiatives in writing curricula in the areas of health and physical education.

(4) Cardiopulmonary resuscitation training using a training program approved by the American Heart Association or an equivalent nationally recognized training program.

(d) The department may give grants to or enter into contracts with individuals or school corporations to carry out the purposes of the program in health and physical education.

SECTION 2. IC 20-30-2-2, AS AMENDED BY P.L.201-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) A student instructional day in grades 1 through 6 consists of at least five (5) hours **and thirty (30) minutes** of instructional time. Except as provided in subsection (b), (c), or (d), a student instructional day in grades 7 through 12 consists of at least six (6) hours **and thirty (30) minutes** of instructional time.

(b) Except as provided in subsection (c), an instructional day for a school flex program under section 2.2 of this chapter consists of a minimum of three (3) hours of instructional time.

(c) A student instructional day for a qualified high school (as defined in IC 20-24.2-1-3) consists of any amount of instructional time.

(d) A high school student who is enrolled in at least twelve (12) credit hours of on-campus dual credit courses (as described in IC 21-43-1-2.5) is not required to comply with subsection (a) during the semester in which the student is enrolled in at least twelve (12) credit hours.

SECTION 3. IC 20-30-5-21 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 21. (a) As used in this section, "school" refers to a public school, including a charter school.

(b) Beginning with the 2015-2016 school year, a school shall conduct at least thirty (30) minutes of physical education each regular school day for kindergarten through grade 12. The



1 physical education:

- 2 (1) may be divided into two (2) fifteen (15) minute or longer
 3 periods;
 4 (2) may be included as a part of a classroom activity; and
 5 (3) must consist of activities that:
 6 (A) are appropriate to a participant's age and physical and
 7 mental abilities;
 8 (B) raise a participant's heart rate; and
 9 (C) provide strength and endurance training.

10 SECTION 4. IC 20-34-3-21 IS ADDED TO THE INDIANA CODE
 11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 12 1, 2015]: Sec. 21. (a) Beginning in the 2015-2016 school year, each
 13 school corporation and charter school shall collect and record the
 14 height, weight, ethnicity, age, and sex of students in the following
 15 grades:

- 16 (1) Grade 1.
 17 (2) Grade 6.
 18 (3) Grade 12.

19 The school corporation or charter school shall report annually the
 20 information collected under this subsection to the state department
 21 of health.

22 (b) A school corporation or charter school shall inform in
 23 writing the parent of a student described in subsection (a) that the
 24 information concerning the student was collected and that the
 25 parent may obtain the information upon request from the school
 26 the student attends.

27 (c) A school corporation or charter school shall report data
 28 collected under subsection (a) according to rules adopted under
 29 this section.

30 (d) Data collected under this section may not be reported under
 31 this section in a way that makes students personally identifiable.

32 (e) The data collected under this section may not be recorded
 33 on:

- 34 (1) a child's report card;
 35 (2) a child's transcript; or
 36 (3) another document from which an individual other than the
 37 child's parent or school personnel could determine the
 38 identity of the child.

39 (f) The state department of health shall publish and make
 40 available to the public an annual report summarizing data
 41 collected under this section.

42 (g) The state department of health shall develop materials for



1 school corporations and charter schools to distribute that include
2 the following:

3 (1) An explanation of body mass index.

4 (2) The limitations of body mass index as a measure.

5 (3) The need to interpret body mass index on an individual
6 basis.

7 (h) The state department of health and the state board shall
8 adopt joint rules under IC 4-22-2 to implement this section. The
9 rules must include the following:

10 (1) Information regarding the importance of accurate
11 measurements and the collection of measurements for
12 improving children's health.

13 (2) Procedures for the measurement of children in a respectful
14 and dignified manner in a private location where other
15 students will not see or hear the data being collected.

